

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

KEITH ALLEN, #M21830,)	
)	
Plaintiff,)	
)	
v.)	No. 23-cv-3775-DWD
)	
WEXFORD HEALTH SOURCES,)	
INC, et al.)	
)	
Defendants.)	

DEFENDANT NICHOLAS FLORENCE, M.D.'S
NOTICE OF ATTEMPTED DELIVERY OF DISCOVERY MATERIALS

This Defendant, NICHOLAS FLORENCE, M.D., by and through his attorneys, James D. Sloan, Zachary G. Stillman, and LITCHFIELD CAVO LLP, hereby provides notice to the Court of his attempt to deliver certain discovery materials to Plaintiff, Keith Allen, and states as follows:

1. Pursuant to receipt of same as responsive to an issued subpoena, Defendant prepared a CD containing copies of relevant X-ray images (the "CD") to be provided to Plaintiff.
2. On or about January 5, 2026, Defendant attempted to deliver the CD to Plaintiff via U.S. Mail at Plaintiff's place of incarceration. (*See* Exhibit 1, containing true and correct copies of returned mailing and memorandum provided by Menard Correctional Center)
3. On or about January 17, 2026, The CD was returned to Defendant as undeliverable. Defendant was informed that the correctional institution would not accept or permit delivery of physical media, including CDs, to inmates. (Exhibit 1, p. 4)
4. Defendant has acted in good faith and with reasonable diligence to provide the received materials to Plaintiff. The failure of delivery was due solely to institutional restrictions beyond Defendant's control.

5. Defendant remains willing to make the X-ray images available through an alternative method acceptable to the correctional institution or as otherwise directed by the Court.

Defendant submits this Notice to document his attempted delivery and to preserve the record regarding compliance with his discovery obligations.

Respectfully submitted,
LITCHFIELD CAVO LLP

By: /s/ Zachary G. Stillman
One of the Attorneys for Nicholas Florence,
M.D.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 22, 2026, I filed the foregoing document with the clerk of the U.S. District Court Southern District of Illinois ECF system. I also served this pleading via U.S. Mail to the address listed below.

/s/ Zachary G. Stillman

Keith Allen, M21830
Menard Correction Center
P.O. Box 1000
Menard, IL 62259